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# राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शुक्रवार, 24 अप्रैल, 1964/4 वैशाख, 1886

## GOVERNMENT OF HIMACHAL PRADESH

### ANIMAL HUSBANDRY DEPARTMENT

#### NOTIFICATION

*Simla-4, the 16th March, 1964*

**No. 4-151/62-Vety.**—In exercise of the powers delegated by the President under the proviso to Article 309 of the Constitution, *vide* Government of India, Ministry of Home Affairs, notification No. F. 27/59-Him (i), dated the 13th July, 1959, the Lieutenant Governor, Himachal Pradesh is pleased to make the following Rules in regard to the following matters, namely:—

- (i) the method of recruitment to the Animal Husbandry Department Class III Service (Non-technical);
- (ii) the qualifications necessary for appointment to such service and posts; and
- (iii) the conditions of service of persons appointed to such service and posts for the purposes of probation, confirmation, seniority and promotion.

## RECRUITMENT RULES

## PART I—GENERAL

1. *Short title and commencement.*—(a) These rules may be called the Himachal Pradesh Animal Husbandry Department Class III (Non-technical) Recruitment, Promotion and Certain Conditions of Services) Rules, 1963.

(b) These rules shall come into force from the date of notification in the Official Gazette.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context:—

(a) “Lieutenant Governor” means the Lieutenant Governor of Himachal Pradesh.

(b) “Recognised University” means any University incorporated by law in India.

(c) “Government” means the Himachal Pradesh Government.

(d) “The Service” means the Himachal Pradesh Animal Husbandry Department Class III (Non-technical) Service.

(e) “Direct appointment” means an appointment made otherwise than by promotion from amongst the members of the service or by transfer of an official already in the service of the Himachal Pradesh Government or of the Union.

(f) “Scheduled Castes” means the Castes, Races, or Tribes or parts of or groups within Castes, Races or Tribes specified in the Constitution (Scheduled Castes) (Union Territories) Order, 1951 as amended by Part V of Schedule II, read with sub-section (2) of section 3 of the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956 (63 of 1956).

(g) “Scheduled Tribes” means the Tribes or Tribal communities or parts of or groups within Tribes or Tribal communities specified in Schedule to the Constitution (Scheduled Tribes (Union Territories) Order, 1951, as amended by Part IV of Schedule IV, read with sub-section (2) of section 4 of the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956 (63 of 1956).

(h) “Member” means a member of the service.

## PART II—RECRUITMENT TO SERVICE

3. *Character of posts.*—The character (*i.e.* designation, grade etc.) of the various posts included in the service and their rates of pay shall be as indicated in Annexure I to these rules.

4. *Authority empowered to make appointments.*—All appointments to posts in the service shall be made by the Head of the Department or any other authority declared as such by the Lieutenant Governor.

5. *Nationality, eligibility and age etc.*—(1) A candidate for appointment to any post in the service must be:—

(a) a citizen of India; and

(b) (i) who or whose father has been continuously residing in Himachal Pradesh for a period of not less than three years immediately preceding the last date fixed for making applications for appointment to a post; or

(ii) whose father, if dead, continuously resided in Himachal Pradesh for a period of not less than three years immediately preceding his/her death and who has after the death of his/her father continued to reside in Himachal Pradesh upto the last date fixed for making applications for appointment to a post;

Provided that any period of temporary absence from Himachal Pradesh for the purpose of prosecuting his/her studies or for undergoing medical treatment or any period of such temporary absence not exceeding three months for any other reason, shall not be deemed to constitute a break in the continuity of such residence but for the purpose of calculating the said period of three years any such period of temporary absence shall be excluded; and

(iii) who produces before the appointing authority concerned if so required by it, a certificate of eligibility granted under rule IV of the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959:

Provided further that in case the Lieutenant Governor, in any exceptional case and for reasons to be recorded in writing, relaxes the provisions of sub-rule (1) of this rule in exercise of his discretion under rule 5 of the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959, a candidate for appointment to any post in the service must be:—

- (a) a citizen of India; or
- (b) a subject of Sikkim; or
- (c) a subject of Nepal; or
- (d) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India:

Provided that if he/she belongs to category (c) or (d) he/she must be a person in whose favour a certificate of eligibility has been given by the Government of India:

Provided further that if he/she belongs to category (d) the certificate of eligibility will be valid only for a period of one year from the date of his/her appointment beyond which he/she can be retained in service only if he/she has become a citizen of India.

A candidate in whose case a certificate of eligibility is necessary, may be admitted to an examination or interview and he/she may also provisionally be appointed subject to the necessary certificate being given to him/her by the Government; and

(2) Unless he/she is already in Government service must produce:—

(i) a certificate of good moral character from the Principal Academic Officer of his/her University, College, School or the head of his/her educational or technical institution last attended;

(ii) certificate of good moral character from two responsible persons, not being his/her relatives who are well acquainted with him/her in private life and unconnected with his/her University, College, School, or other educational or technical institution;

(iii) a medical certificate, as required by rule 10 of Fundamental Rules and rules 3 and 4 of Supplementary Rules;

(iv) a declaration to the effect that he has not more than one living wife;

(a) no person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to service;

(v) in the case of female Government servant, a declaration to the effect that she has not married a person having already a living wife;

(a) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service:

Provided that the Government may, if satisfied that there are special grounds for doing so, exempt any person from the operation of rules in clauses (iv) and (v) above;

(3) Must not be less than 18 years and not more than 25 years of age on the date of his/her appointment:

Provided further that minimum and maximum age limits as prescribed may be relaxed in pursuance of the instructions laid down in Government of India, Ministry of Home Affairs, office Memorandum No. 4/7/56-RPS, dated the 30th November, 1956 (Annexure II) and of administrative instructions given in Appendix 3 of the Posts and Telegraphs Compilation of the Fundamental and Supplementary Rules Volume-II:

Provided further that the maximum age limit may be relaxed in the case of scheduled castes/tribes candidates, displaced persons and other special categories in accordance with the orders issued by the Government of India from time to time.

6. *Educational and Technical qualifications of candidates.*—No person shall be appointed to the service, unless in the case of appointment to the post of:—

(i) *Clerk, Camp Clerk/Typist.*—He/She has passed the Matriculation examination of recognized University or above and possesses a speed of 30 words per minute in type writing in English and 20 in Hindi:

Provided that the condition of qualifying the type-writing test will not apply in the case of physically handicapped persons who are otherwise eligible for appointment to posts of Clerks in the Himachal Pradesh Animal Husbandry Department under these rules, and who are certified as being unable to type by the Medical Board attached to Special Employment Exchanges for the Handicapped (or by a Civil Surgeon where there is no such Board).

(ii) *Accountant.*—He/She passed the Intermediate/Senior Cambridge/Higher Secondary Examination of a recognized University/Board or some other examination; declared equivalent to the above examinations; the prescribed educational qualifications will be relaxed in the case of departmental promotions provided that the departmental promotee is either permanent or quasi-permanent in the grade of Clerks and has put in at least three years of service in that grade.

(iii) *Assistant.*—He/She has passed a Degree examination of a recognized University; the prescribed educational qualifications will be relaxed in the case of departmental promotion provided that the departmental promotee is either permanent or quasi-permanent in the grade of Accountants or Stenographers and has also put in at least 5 years of service in the grade of Accountants or Stenographers as the case may be.

(iv) *Head Clerk.*—Should be a graduate of a recognised University having at least 5 years office experience; the prescribed educational qualifications will be relaxed in the case of departmental promotees provided that the departmental promotees are either permanent or quasi-permanent in the grade of Assistants and have also put in at least 5 years of service in the grade of Assistant.

(v) *Stenographers.*—He/She passed the Matriculation examination of a recognised University and possesses a speed of 100 words per minute of English short-hand or 60 words per minute of Hindi short-hand and a speed of 35 words per minute of English and 20 words of Hindi type-writing.

(vi) *Head Assistant.*—He has passed the Degree examination of recognised University unless appointment is made by promotion from amongst the Head Clerks and possesses ten years office experience.

(vii) *Drivers*.—He possesses a driving licence and is literate:

Provided that the conditions as prescribed above may be relaxed in special circumstances, by orders of the Lieutenant Governor.

7. *Method of recruitment*.—Posts in the service shall be filled either by promotion or by direct appointment in the following manner:—

(i) *Clerks/Camp Clerk/Typist*.—By transfer of a person already in the service of the Union or by direct recruitment.

(ii) *Accountants*.—90 % of the total number of posts will be filled by promotion on the basis of seniority subject to the rejection of unfit out of the clerks and the remaining 10 % posts will be filled by direct recruitment through competitive examination. Serving clerks will however, be eligible for competition with direct recruits irrespective of their length of service and qualifications.

(iii) *Assistants*.—90 % of the posts will be filled by promotion on the basis of seniority subject to the rejection of unfit out of the Accountants and Stenographers (percentage roughly in accordance with the ratio between the members of Accountants and Stenographers) who have served at least for three years in that capacity and 10 % of the posts by direct recruitment on the basis of a competitive examination. Serving Accountants and Stenographers will however, be eligible for competition with direct recruits irrespective of their length of service and qualifications.

(iv) *Head Clerks*.—90 % of the posts will be filled by promotion on the basis of seniority subject to the rejection of unfit out of the Assistants who have served at least for five years, in that capacity and 10 % of the posts by direct recruitment on the basis of a competitive examination. Serving Assistants will be eligible for competition with direct recruits irrespective of their length of service and qualifications:

Provided that 23 % and 5 % of the vacancies shall be filled up from the candidates belonging to scheduled castes and scheduled tribes respectively subject to their fulfilling the minimum qualifications:

Provided further that the vacancies earmarked in the direct quota of recruitment shall be intimated to the Heads of Departments or Heads of Offices as the case may be and they shall be asked to recommend names of suitable candidates working in their offices; otherwise vacancies shall be notified to the Employment Exchanges in Himachal Pradesh or will be advertised.

(v) *Stenographers*.—By direct recruitment on the basis of competitive examination.

(vi) *Head Assistant*.—By direct recruitment or by promotion from amongst the Head Clerks in order of seniority-cum-merit.

(vii) *Driver*.—By direct recruitment or by promotion from amongst the Cleaners/Conductors provided that the requisite driving licence is procured by the candidate.

8. *Selection by Departmental Promotion Committee*.—The Departmental Promotion Committee shall constitute of the following :—

- (1) Secretary, Animal Husbandry Department,
  - (2) Director of Animal Husbandry Department,
  - (3) Deputy Director Animal Husbandry Department,
- till it is re-constituted by the Lieutenant Governor.

Offers of appointment shall be made strictly in accordance with the order in which the candidates are placed at the time of selection.

## PART III—CONDITIONS OF SERVICE

9. *Probation of members of service.*—(i) Members of the service who are appointed against permanent vacancies shall, on appointment to any post in the service, remain on probation for a period of two years in the case of direct recruitment and on trial for a period of one year in the case of promotion.

*Explanation.*—Approved officiating service shall be taken as a period spent on probation but no member who is officiating in any appointment shall on the completion of the probationary period prescribed be confirmed until he/she is appointed against a permanent vacancy.

(ii) If the work or conduct of any member during his/her period of probation is, in the opinion of the appointing authority, not satisfactory, the appointing authority may dispense with his/her service or revert him/her to his/her former post if he/she has been appointed to that post otherwise than by direct recruitment.

(iii) On the completion of the period of probation of any member, the appointing authority prescribed in rule 4 may confirm such member in his/her appointment or if his/her work or conduct has in the opinion of the appointing authority, not been satisfactory, may dispense with his/her service, or revert him/her to his/her former post, if he/she has been appointed otherwise than by direct appointment, or may extend the period of probation and thereafter pass such orders on the expiry of probation as it could have passed on the expiry of the first period of probation:

Provided always that the total period of probation including extension if any shall not exceed three years.

10. *Scale of pay etc. of the Service.*—The grades of pay of each class of service are mentioned in Appendix I to these rules subject to their revision from time to time.

11. *Discipline.*—In respect of discipline, punishment and appeals, the members of the service shall be governed by the provisions of Central Civil Services (Classification Control and Appeal) Rules, 1957 and the Central Civil Services (Conduct) Rules, 1955, as amended from time to time.

12. *Seniority of members of service.*—(1) Subject to the provisions of paragraph (2) below, persons appointed in a substantive or officiating capacity to a grade prior to the issue of these rules shall retain the relative seniority already assigned to them or such seniority as may hereafter be assigned to them under the existing orders applicable to their cases and shall en-block the senior to all others in that grade.

*Explanation.*—For the purpose of these rules:—

(a) persons who are confirmed retrospectively with effect from a date earlier than the issue of these rules, and

(b) persons appointed on probation to a permanent post substantively vacant in a grade prior to the issue of these rules shall be considered to be permanent officers of the grade.

(2) Subject to the provisions of paragraph (3) below, permanent officers of each grade shall be ranked senior to persons who are officiating in that grade.

(3) *Direct recruits.*—Notwithstanding the provisions of rule (2) above, the relative seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointment, on the recommendations of the selecting authority, persons appointed as a result of an earlier selection being senior to those appointed as a result of subsequent selection;

(1) Provided that where persons recruited initially on a temporary basis are confirmed subsequently in an order different from the order of merit



indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit:

(2) Provided further that a person who does not join within the specified period shall lose his/her seniority according to the select list and shall rank in the seniority list next to the person who joined earlier:

(3) Provided further that he/she shall not lose his/her seniority, if the fact of his/her joining later was caused by circumstances beyond his/her control and for the reasons recorded in writing, the appointing authority is satisfied that this was so.

(4) *Promotees.*—(i) The relative seniority of persons promoted to the various grades shall be determined in the order of their selection for such promotion:

Provided that where persons promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their promotion, seniority shall follow the order of confirmation and not the original order of merit.

(ii) Where promotions to a grade are made from more than one grades, the eligible persons shall be arranged in separate lists in the order of their relative seniority in their respective grades. Thereafter, the Departmental Promotion Committee shall select persons for promotion from each list upto the prescribed quota and arrange all the candidates selected from different lists in a consolidated order of merit which will determine the seniority of the persons on promotion to the higher grade.

(5) *Relative seniority of direct recruits and promotees.*—The relative seniority of direct recruits and of promotees shall be determined according to the ratio of vacancies between direct recruits and promotees which shall be based on the quotas of vacancies reserved for direct recruitment and promotion respectively in the Recruitment Rules.

(6) *Transfers.*—The relative seniority of persons appointed by transfer to the service from the subordinate offices or the Central Government or other departments of State Governments shall be determined in accordance with the order of their selection for such transfer.

## EXPLANATORY MEMORANDUM

*Rule (4).*—Where promotions are made on the basis of selection by a D.P.C. the seniority of such promotees shall be in the order in which they are recommended for such promotion by the committee. Where promotions are made on the basis of seniority subject to the rejection of the unfit, the seniority of persons considered fit for promotion at the same time shall be the same as the relative seniority in the lower grade from which they are promoted. Where, however, a person is considered as unfit for promotion and is superseded by a junior, such persons shall not if, he is subsequently found suitable and promoted, take seniority in the higher grade over the junior persons who had superseded him.

*Rule (5).*—A roster should be maintained based on the reservation for direct recruitment and promotion in the Recruitment Rules appointments should be made in accordance with this roster and seniority determined accordingly.

*Illustration.*—Where 75 per cent of the vacancies are reserved for promotion and 25 per cent for direct recruitment, each direct recruit shall be ranked in seniority below 3 promotees.

Where the quotas are 50 per cent each, every direct recruit shall be ranked below a promotee. If for any reason a direct recruit or promotee ceases to hold the appointment in the grade, the seniority list shall not be

re-arranged merely for the purpose of ensuring the proportion referred to above.

**13. Leave and pensions etc.**—In respect of leave, pension and other (cognate) matters not specifically mentioned in these rules, the members of the service shall be governed by the Revised Leave Rules, 1933, given in Appendix 7-A, Volume II of the Posts and Telegraphs Compilation of the Fundamental and Supplementary Rules and the Pension Rules promulgated by the Government of India in Finance Ministry Office Memo. No. F. 3 (1) Est. (Spl). /47. dated the 17th April, 1950 as amended from time to time, unless one has already exercised option otherwise.

**14. Training and examination etc.**—The members of service shall have to qualify at examinations or to undergo training as may be prescribed by the Lieutenant Governor from time to time for any class of posts.

**15. Other conditions of services.**—In respect of conditions of service other than those covered by these rules members of the service shall be governed by the condition of service of Union Territories Employees Rules, 1959, issued by the Government of India, Ministry of Home Affairs *vide* their notification No. F. 27/59-HIM(ii), dated the 13th July, 1959.

#### ANNEXURE I

1. Clerk/Camp Clerk/Typist in the scale of Rs. 60-4-80/5-120/5-175.
2. Accountant in the scale of Rs. 106-6-160/8-200.
3. Assistant in the scale of Rs. 116-8-180/10-250.
4. Head Clerk in the scale of Rs. 150-10-200/10-300.
5. Stenographers in the scale of Rs. 100-5-150.
6. Driver in the scale of Rs. 60-3-90.
7. Head Assistant in the scale of Rs. 250-10-350.

#### ANNEXURE II

Copy of office memorandum No. 4/7/56-RPS., dated the 30th November, 1956 from the Under Secretary to the Government of India, Ministry of Home Affairs, to all Ministries etc.

**Subject.**—Minimum age limit for recruitment to clerical posts not made through the Union Public Service Commission.

**Reference.**—This Ministry's Office Memo. No. 4/7/56-RPS., dated the 20th March, 1956.

Replies received from Ministries and other offices to this Ministry's Office Memorandum referred to above show a consequence of opinion in favour of the proposals made in that memorandum. It has accordingly been decided that for recruitment to clerical posts under the Central Government made without reference to the Union Public Service Commission, the minimum age limit should be 18 years. Heads of Departments are authorised to make relaxation in exceptional cases, of this limit by not more than one year.

2. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders are issued in consultation with the Comptroller and Auditor General.

By order,  
T. S. NEGI,  
Secretary.